

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|------------------------------------|---|--------------------------|
| Jason Kimble, | : | |
| | : | |
| Plaintiff | : | Civil Action 2:06-cv-287 |
| | : | |
| v. | : | Judge Smith |
| | : | |
| Mail Contractors of America, Inc., | : | Magistrate Judge Abel |
| | : | |
| Defendant | : | |

ORDER

This matter is before the Court on the Magistrate Judge's March 6, 2007 Report and Recommendation recommending that defendant's April 25, 2006 motion to dismiss (doc. 8) be granted and that plaintiff should be allowed fifteen (15) days to file a motion for leave to amend his complaint, along with a proposed amended complaint. No objections to the Report and Recommendation have been filed.

Upon *de novo* review, the Court ADOPTS the Magistrate Judge's March 6, 2007 Report and Recommendation. Defendant's April 25, 2006 motion to dismiss (doc. 8) is GRANTED. On March 20, 2007, plaintiff filed a motion for leave to file an amended complaint, and the Court will rule on that motion when it is fully briefed.

/S/ George C. Smith
George C. Smith
United States District Judge